

**REISSUE APPLICATION DECLARATION  
BY THE ASSIGNEE**

**Docket No. 49616/LTR/G319**

I hereby declare that:

I am authorized to act on behalf of the following assignee **Storactive, Inc.**, and the title of my position with said assignee is President.

The entire title to the patent identified below is vested in said assignee.

Name of Patentees	:	Mark Skiba and Mikhail Ryzhkin
Patent Number	:	6,366,988
Date Patent Issued	:	April 2, 2002
Title of Invention	:	SYSTEMS AND METHODS FOR ELECTRONIC DATA STORAGE MANAGEMENT

I believe said Mark Skiba and Mikhail Ryzhkin to be the original, first and joint inventors of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled SYSTEMS AND METHODS FOR ELECTRONIC DATA STORAGE MANAGEMENT the specification of which

X is attached hereto.

\_\_\_\_\_ was filed on \_\_\_\_\_ filing date as reissue application number \_\_\_\_\_ and was amended on \_\_\_\_\_ if applicable.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid by reason of a defective specification; the error being relied upon as a basis for reissue is the failure to include the source code listings of appendices A, B, and C in the original application in the form specified in 37 CFR. § 1.52(e)(1)(i) as it existed on the filing date of the original application, namely, July 17, 1998. The applicable rule on that date authorized the submission of computer program listings in microfiche form. Applicant failed to submit the

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source code listings of Appendices A, B, and C in microfiche form and, accordingly, these appendices were not reference in the original patent in the manner specified in 37 CFR § 1.77(b)(4).

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint the following attorneys and agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

D. Bruce Prout	(20,958)	Harold E. Wurst	(22,183)	Jun-Young E. Jeon	(43,693)
Richard J. Ward, Jr.	(24,187)	Robert A. Green	(28,301)	Peter A. Nichols	(47,822)
LeRoy T. Rahn	(20,356)	Richard A. Wallen	(22,671)	Stephen D. Burbach	(40,285)
Walter G. Maxwell	(25,355)	Michael J. MacDermott	(29,946)	Mark J. Marcelli	(36,593)
William P. Christie	(29,371)	Anne Wang	(36,045)	David J. Steele	(47,317)
David A. Dillard	(30,831)	Constantine Marantidis	(39,759)	John W. Peck	(44,284)
Thomas J. Daly	(32,213)	Daniel R. Kimbell	(34,849)	Tom H. Dao	(44,641)
Vincent G. Gioia	(19,959)	Daniel M. Cavanagh	(41,661)	Frank L. Cire	(42,419)
Edward R. Schwartz	(31,135)	Gary J. Nelson	(44,257)	Rodney V. Warfford	(51,304)
John D. Carpenter	(34,133)	Kathleen M. Olster	(42,052)	R. W. Johnston	(17,968)
Wesley W. Monroe	(39,778)	Josephine E. Chang	(46,083)	Hayden A. Carney	(22,653)
David A. Plumley	(37,208)	Joel A. Kauth	(41,886)	Russell R. Palmer, Jr.	(22,994)
Gregory S. Lampert	(35,581)	Patrick Y. Ikebara	(42,681)	Richard D. Seibel	(22,134)
Mark Garscia	(31,953)	Raymond R. Tabandeh	(43,945)	Richard J. Paciulan	(28,248)
Syed A. Hasan	(41,057)	Cynthia A. Bonner	(44,548)	Richard A. Clegg	(33,485)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

Date 8/1/03 By Tony Bautista  
STORACTIVE, INC.  
Tony Bautista  
President

**REISSUE APPLICATION BY THE ASSIGNEE,  
OFFER TO SURRENDER PATENT  
37 CFR §1.178**

Docket No. 49616/LTR/G319

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentees : Mark Skiba and Mikhail Ryzhkin  
Patent Number : 6,366,988  
Date Patent Issued : April 2, 2002  
Title of Invention : SYSTEMS AND METHODS FOR ELECTRONIC DATA STORAGE MANAGEMENT

I offer to surrender the original patent.

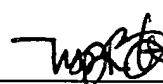
X A certificate under 37 CFR 3.73(b) is attached.

I am authorized to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

STORACTIVE, INC.

Date 7/1/03

  
\_\_\_\_\_  
Name: Tony Bautista  
Title: President

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Express Mail No. EV352374899US

Docket No. 49616/LTR/G319

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

For : Reissue of U.S. Patent No. 6,366,988  
Patentee : Mark Skiba and Mikhail Ryzhkin  
Patent No. : 6,366,988  
Patent Issue Date : April 2, 2002  
Title : SYSTEMS AND METHODS FOR ELECTRONIC DATA STORAGE MANAGEMENT  
Docket No.. : 49616/LTR/G319

STATEMENT UNDER 37 CFR 3.73(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PostOffice Box 7068  
Pasadena, CA 91109-7068  
July 2, 2003

Commissioner:

Storactive, Inc., a Delaware corporation, hereby states that it is the assignee of the entire right, title and interest in U.S. Patent No. 6,366,988, entitled SYSTEMS AND METHODS FOR ELECTRONIC DATA STORAGE MANAGEMENT, issued April 2, 2002. This is by virtue of an Assignment from the inventors of the patent. The Assignment was recorded in the U.S. Patent and Trademark Office at Reel 010050, Frame 0180 on June 28, 1999.

The undersigned (whose title appears below) is authorized to act on behalf of the assignee in connection with this application for reissue of the Patent.

STORACTIVE, INC.

Dated: 07/1/03

By:

  
\_\_\_\_\_  
Name: Tony Bautista  
Title: President

AMB PAS513267.1-\*07/2/03 2:15 PM

Express Mail No. EV352374899US

Docket No. 49616/LTR/G319

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

For : Reissue of U.S. Patent No. 6,366,988  
Patentee : Mark Skiba and Mikhail Ryzhkin  
Patent No. : 6,366,988  
Patent Issue  
Date : April 2, 2002  
Title : SYSTEMS AND METHODS FOR ELECTRONIC  
DATA STORAGE MANAGEMENT  
Docket No.. : 49616/LTR/G319

CONSENT OF ASSIGNEE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PostOffice Box 7068  
Pasadena, CA 91109-7068  
July 2, 2003

Commissioner:

Storactive, Inc., a Delaware corporation, Assignee of the entire right, title and interest in U.S. Patent No. 6,366,988, entitled SYSTEMS AND METHODS FOR ELECTRONIC DATA STORAGE MANAGEMENT, issued April 2, 2002, hereby consents to the Application for Reissue of this Patent, based on the accompanying specification and claims.

STORACTIVE, INC.

Dated: 8/1/03

By:

Tony Bautista  
Name: Tony Bautista  
Title: President

AMB PAS513274.1-\* 07/2/03 2:20 PM

Express Mail No. EV352374899US